

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

Claims 1-42. (Canceled)

Claim 43 (Previously Presented) An isolated DNA comprising the cry1Bf coding sequence present in the *E. coli* strain deposited at the BCCM-LMBP under accession number LMBP 3986, or an isolated DNA encoding SEQ ID NO:2 having a codon usage different from the codon usage in SEQ ID NO:1.

Claim 44 (Previously Presented) The DNA of claim 43, wherein the DNA comprises the nucleotide sequence of SEQ ID NO: 1.

Claim 45 (Previously Presented) A chimeric gene comprising the DNA of claim 43, wherein the DNA is operably linked to a plant-expressible promoter.

Claim 46 (Previously Presented) A plant cell transformed with the chimeric gene of claim 45.

Claim 47 (Previously Presented) A plant or seed comprising the chimeric gene of claim 45 integrated in its cells.

Claim 48 (Previously Presented) The plant or seed according to claim 47, wherein the chimeric gene is integrated in the nuclear or chloroplast DNA of the cells of the plant or seed.

Claim 49 (Previously Presented) The plant or seed of claim 47, wherein the plant is selected from the group consisting of corn, cotton, rice, oilseed rape, *Brassica*, eggplant, soybean, potato, sunflower, tomato, sugarcane, tea, bean, tobacco, strawberry, clover, cucumber, watermelon, pepper, oat, barley, wheat, dahlia, gladiolus, chrysanthemum, sugarbeet, sorghum, alfalfa, and peanut.

Claim 50 (Previously Presented) A micro-organism transformed with the DNA of claim 43.

Claim 51 (Previously Presented) The microorganism of claim 50, wherein the microorganism is a member of a genus selected from the group consisting of *Agrobacterium*, *Escherichia*, and *Bacillus*.

Claim 52 (Previously Presented) A process for killing insects, wherein the process comprises introducing the DNA of claim 43 into a host cell, and contacting insects with said host cells so that said insects are killed.

Claim 53 (Previously Presented) A process for obtaining a plant with resistance to insects, wherein the process comprises transforming plant cells with the DNA of claim 43, and regenerating a transformed plant which is resistant to insects.

Claim 54 (Previously Presented) A process for obtaining plants with resistance to insects, wherein the process comprises transforming plant cells with the DNA of claim 43, and regenerating transformed plants which are resistant to insects.

Claim 55 (Previously Presented) A process of obtaining seeds from insect-resistant plants, wherein said process comprises obtaining seeds from plants produced by the method of claim 54, and wherein said seeds contain said DNA.

Claim 56 (Previously Presented) A process for obtaining a plant with resistance to insects, wherein the process comprises transforming plant cells with the chimeric gene of claim 45, and regenerating a transformed plant which is resistant to insects.

Claim 57 (Previously Presented) A process of obtaining seed from a insect-resistant plant, wherein said process comprises obtaining seeds from a plant produced by the method of claim 56, and wherein said seed contains said chimeric gene.

Claim 58 (Previously Presented) An isolated DNA encoding a protein with a molecular weight of about 60 to about 80 kD, comprising the amino acid sequence of SEQ ID NO:2 from amino acid position 1 to amino acid position 640.

Claim 59 (Previously Presented) The DNA of claim 58, wherein the DNA has a different codon usage compared to the naturally occurring DNA sequence of SEQ ID NO:1.

Claim 60 (Previously Presented) A chimeric gene comprising the DNA of claim 58, wherein the DNA is operably linked to a plant-expressible promoter.

Claim 61 (Previously Presented) A plant cell transformed with the chimeric gene of claim 60.

Claim 62 (Previously Presented) A plant or seed comprising the chimeric gene of claim 60 integrated in its cells.

Claim 63 (Previously Presented) A plant or seed comprising the chimeric gene of claim 60 integrated in the nuclear or chloroplast DNA of its cells.

Claim 64 (Previously Presented) The plant or seed of claim 62, wherein the plant or seed is selected from the group consisting of corn, cotton, rice, oilseed rape, *Brassica*, eggplant, soybean, potato, sunflower, tomato, sugarcane, tea, bean, tobacco, strawberry, clover, cucumber, watermelon, pepper, oat, barley, wheat, dahlia, gladiolus, chrysanthemum, sugarbeet, sorghum, alfalfa, and peanut.

Claim 65 (Previously Presented) A micro-organism transformed with the DNA of claim 58.

Claim 66 (Previously Presented) The microorganism of claim 65, wherein the microorganism is a member of a genus selected from *Agrobacterium*, *Escherichia*, or *Bacillus*.

Claim 67 (Previously Presented) A process for controlling insects, wherein the process comprises introducing the DNA of claim 58 into a host cell, and contacting insects with said host cell so that said insects are controlled.

Claim 68 (Previously Presented) A process for obtaining plants with resistance to insects, wherein the process comprises transforming plant cells with the DNA of claim 58, and regenerating transformed plants from said plant cells, wherein said transformed cells are resistant to insects so that said plants are resistant to insects.

Claim 69 (Previously Presented) A process of obtaining seeds from insect-resistant transformed plants, wherein said process comprises obtaining seeds from plants produced by the method of claim 68, and wherein said seeds contain said DNA.

Claim 70 (Previously Presented) A process for obtaining plants with resistance to insects, wherein the process comprises transforming plant cells with the chimeric gene of claim 60, and regenerating transformed plants from said plant cells, wherein said transformed plants are resistant to insects.

Claim 71 (Previously Presented) A process of obtaining seed from insect-resistant transformed plants, wherein said process comprises obtaining seeds from plants produced by the method of claim 70, and wherein said seed contains said chimeric gene.

Claim 72 (Previously Presented) A method for protecting a plant from Sesamia nonagriodes, wherein the method comprises transforming a plant with a DNA encoding an insecticidally

active fragment of the protein of SEQ ID NO: 2, and growing the plant in a field, wherein the plant produces an insecticidal amount of the protein so that said plant is protected from *Sesamia nonagriodes*.

**Claim 73 (Previously Presented)** A process for controlling *Sesamia nonagriodes*, comprising expressing a DNA encoding an insecticidally active fragment of the protein of SEQ ID NO: 2 in cells of a plant so that *Sesamia nonagriodes* is controlled.

**Claim 74 (New)** An isolated DNA encoding a protein comprising the amino acid sequence of SEQ ID NO:2 from amino acid position 1 to amino acid position 640.

**Claim 75 (New)** A plant cell, seed or plant comprising the DNA of claim 74.